

Appl. No. 10/002,222
Amdt. dated November 18, 2005
Reply to Office Action of August 26, 2005

PATENT

REMARKS/ARGUMENTS

Before this Amendment, claims 1, 3, 5-9, 11, 12, 14, 16 and 18 were presented for examination. Claims 1, 3, 5-8, 11, and 18 are amended. Claims 19 and 20 are added with this Amendment, and no claims are canceled. Therefore, claims 1, 3, 5-9, 11, 12, 14, 16, and 18-20 are pending in the application, and claims 1, 11, and 18 are the independent claims. No new matter is added by these amendments.

In the Office Action dated August 26, 2005 ("Office Action"), Claims 1, 3, 5-9, 11, 12, 14, 16 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by the cited portions of Heddaya et al., U.S. Patent No. 6,622,157 ("Heddaya"). The Applicants respectfully request reconsideration of this application as amended.

35 U.S.C. §102(e):

Claims 1, 3, 5-9, 11, 12, 14, 16 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by Heddaya. For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art. Applicants believe significant limitations from the independent claims are not taught in the Heddaya reference. More specifically, Heddaya does not teach (1) caching *each* video file *conveyed* within a peer-to-peer computer relationship at a caching computer, as recited by claims 1 and 18, and (2) caching, at a caching computer, a *streamed* video file from the stream *in transit* within a peer-to-peer computer relationship, as recited by claims 11 and 18.

1. Caching Each Video File Conveyed in Peer-to-Peer Relationship: Claims 1 and 18 were amended to more particularly recite certain claimed embodiments. In particular, Claim 1 now recites "caching each video file conveyed from said first computer to said second computer at a caching computer."

Support for this amendment is found in the Original Specification, which recites "multiple caching computers can be disposed throughout the country. Thus, as a user requests a file from a content providing computer, the file can as a matter of course be cached at the most proximate caching computer for that user. Thus, in such an example, the *initial request* of the

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file serves as the *trigger* for causing the *file to be cached* at a caching computer" (emphasis added, Original Application, p. 4, ll. 16-19).

But Heddaya is instead directed at a network architecture for providing services from intermediate nodes. Heddaya fails to teach or suggest this method of user triggered video content distribution.

2. Caching Streamed Video: Claims 11 and 18 were also amended to more particularly recite certain embodiments of the invention. Specifically, these claims were amended to recite caching streamed video files as they are streamed. Support for the fact that certain embodiments of the invention are directed at streamed video can be found in the Original Application as well (Original Application, p. 3, ll. 1-18).

But Heddaya, as noted in the Office Action, is directed at "documents" which *may* contain video components (Office Action, p. 3, ll. 3-4, *citing* Heddaya, col. 6, ll. 30-35). However, Heddaya simply cannot be relied to teach or suggest *caching video files as they are streamed*. "Documents" which contain video components are quite different than streaming video files. And Heddaya is directed at a network architecture for providing services from intermediate nodes, not how to cache video files as they are streamed.

Claims 1, 11, and 18 are believed allowable for at least the foregoing reasons. Claims 3, 5-9, 12, 14, 16, 19 and 20 each depend from the independent claims, and these claims are believed allowable for at least the same reasons as given above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/002,222

PATENT

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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